

THEFT BY EXTORTION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nelson T. Abbott

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill creates a civil cause of action for the offense of theft by extortion.

Highlighted Provisions:

This bill:

- ▶ creates a civil cause of action for the offense of theft by extortion; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-6-406, as enacted by Laws of Utah 1973, Chapter 196

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **76-6-406** is amended to read:**76-6-406. Theft by extortion.**

(1) ~~[A person]~~ An actor is guilty of theft if ~~[he]~~ the actor obtains or exercises control over the property of another person by extortion and with a purpose to deprive ~~[him thereof]~~ the person of the person's property.



(2) As used in this section, extortion occurs when ~~[a person]~~ an actor threatens to:

(a) ~~[Cause]~~ cause physical harm in the future to the person threatened or to any other person or to property at any time; ~~[or]~~

(b) ~~[Subject]~~ subject the person threatened or any other person to physical confinement or restraint; ~~[or]~~

(c) ~~[Engage]~~ engage in other conduct constituting a crime; ~~[or]~~

(d) ~~[Accuse]~~ accuse any person of a crime or expose ~~[him]~~ any person to hatred, contempt, or ridicule; ~~[or]~~

(e) ~~[Reveal]~~ reveal any information sought to be concealed by the person threatened; ~~[or]~~

(f) ~~[Testify]~~ testify or provide information or withhold testimony or information with respect to ~~[another's]~~ a person's legal claim or defense; ~~[or]~~

(g) ~~[Take]~~ take action as an official against anyone or anything, or withhold official action, or cause such action or withholding; ~~[or]~~

(h) ~~[Bring]~~ bring about or continue a strike, boycott, or other similar collective action to obtain property ~~[which]~~ that is not demanded or received for the benefit of the group ~~[which]~~ that the actor purports to represent; or

(i) ~~[Do]~~ do any other act which would not in itself substantially benefit ~~[him]~~ the actor but which would harm substantially any other person with respect to that person's health, safety, business, calling, career, financial condition, reputation, or personal relationships.

(3) (a) A person who is adversely impacted by the conduct prohibited in Subsection (1) may bring a civil action for equitable relief and damages.

(b) In accordance with Section 78B-2-305, a person who brings an action under Subsection (3)(a) shall commence the action within three years after the day on which the cause of action arises.